

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**CORRECTED  
FISCAL NOTE**

**HB 959 - SB 1126**

March 13, 2009

**SUMMARY OF BILL:** Requires all information contained in any handgun carry permit application or renewal, all information provided to agencies to investigate applicants, and all records maintained relative to the permit application, to be confidential and not open for public inspection. Creates a Class A misdemeanor for any person who knowingly publishes such information or records.

**ESTIMATED FISCAL IMPACT:**

On February 19, 2009, we issued a fiscal note for this bill indicating an *increase to state revenue of not significant, an increase to state expenditures of not significant, an increase to local government revenue of not significant, and an increase to local government expenditures of not significant.* On March 3, 2009, we received additional information from the Department of Human Services. Based on this new information, the fiscal impact for this bill is estimated as follows:

**(CORRECTED)**

**Increase State Revenue – Not Significant**

**Increase State Expenditures – Not Significant**

**Increase Local Revenue – Not Significant**

**Increase Local Expenditures – Not Significant**

**Other Fiscal impact – A potential loss of \$45,655,000 in federal funding derived from the Title IV-D Child Support Program and Temporary Assistance for Needy Families (TANF) Block Grants.**

Assumptions:

- Information considered confidential for this bill may be released to law enforcement agencies for the purpose of conducting an investigation or prosecution, or for determining the validity of a permit.
- Based on information provided by the Department of Safety, any increase of departmental expenditures is considered not significant.

**HB 959 - SB 1126 (CORRECTED)**

- There will not be a sufficient number of prosecutions for state or local governments to experience any significant increase in revenues or expenses.
- According to the Department of Human Services (DHS), this bill does not include an exemption to allow for the release of such information to the Department for purposes concerning child support enforcement.
- DHS indicates that federal law, 42 U.S.C. § 666(a), requires the state to have procedures in place to withhold or suspend, or to restrict the use of driver's licenses, professional and occupational licenses, and recreational and sporting licenses of individuals owing overdue child support payments. According to DHS, the Attorney General (AG) has specifically found this requirement to also extend to handgun carry permits (AG Opinion 02-003).
- According to DHS, this bill could jeopardize approximately \$45,655,000 in federal funding received pursuant to the Title IV-D Child Support Program and Temporary Assistance for Needy Families (TANF) Block Grants.

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/rnc